

FILED

NOV 27 2012

Clerk, U.S. District Court
District Of Montana
Missoula

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

JOHN F. LANCE,)	CV 12-82-M-DLC
)	
Petitioner,)	
)	
vs.)	ORDER
)	
JOHN D. LARSON, et al.,)	
)	
Defendants.)	
)	

The Court previously adopted United States Magistrate Judge Jeremiah C. Lynch's Findings and Recommendations in part, reserving ruling on the recommendation for dismissal. The Court permitted petitioner John F. Lance to file a petition for writ of habeas corpus by November 23, 2012, if he chose to do so. (Doc. 13.) The Court informed Lance that the clerk would enter a judgment of dismissal and his case would be closed if he did not file a petition by the deadline set. Lance filed a notice indicating he did not intend to file a petition in this Court, choosing instead to appeal directly to the United States Supreme Court. (Doc. 14.)

The Findings and Recommendations will therefore be adopted in full and this case will be dismissed.

IT IS HEREBY ORDERED that the Findings and Recommendation (doc. 7) are adopted in full. The Petition (doc.1) is DISMISSED for lack of jurisdiction.

The Clerk of Court is directed to enter judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure and to close this case.

IT IS FURTHER ORDERED that the docket shall reflect that the Court certifies pursuant to Fed.R.App.P. 24(a)(4)(B) that any appeal of this decision would not be taken in good faith.

DATED this 27th day of November, 2012.



Dana L. Christensen, District Judge
United States District Court